

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBBIN EUGENE PARKS,

Defendant.

CR-07-100-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on October 28, 2021. (Doc. 122.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on October 26, 2021. (Doc. 118.) The United States accused Parks of violating his conditions of supervised

release 1) by committing another crime; 2) by using methamphetamine on two separate occasions; and 3) by consuming alcohol. (Doc. 112.)

At the revocation hearing, Parks admitted he had violated the terms of his supervised release 1) by using methamphetamine on two separate occasions; and 2) by consuming alcohol. Parks denied alleged violation 1. The government failed to satisfy its burden of proof with respect to alleged violation 1. (Doc. 118.) Judge Johnston found that the violations Parks admitted proved to be serious and warranted revocation, and recommended that Parks receive a custodial sentence of 10 months, with no supervised release to follow. (Doc. 122.) Marshall was advised of his right to appeal and his right to allocute before the undersigned. He waived those rights. (Doc. 118.) The violation proves serious and warrants revocation of Parks' supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 122) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Robbin Eugene Parks be sentenced to the custody of the United States Bureau of Prisons for 10 months, with no supervised release to follow.

DATED this 28th day of October, 2021.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Brian Morris, Chief District Judge
United States District Court